



Newsletter *April 2004*
**DRYCLEANER ENVIRONMENTAL
RESPONSE PROGRAM (DCERP)**
TDEC, Division of Superfund

Welcome to the first issue of the DCERP Newsletter. The newsletter is intended to provide Tennessee Drycleaners with useful information and program updates.

The DCERP Newsletter is your newsletter, and we want to know how to make it better. Feel free to call any of the DCERP staff at (615) 532-0900 with story ideas, comments or suggestions for future editions.

What Is DCERP and What Does It Do?

On June 13, 1995, the Tennessee General Assembly enacted a law establishing the Drycleaner Environmental Response Program (DCERP). The Act establishes a

“fund” made up of annual registration fees collected from the owners/operators of drycleaning facilities and surcharges on drycleaning solvent.

The purpose of the program is to provide funding and oversight for the investigation and, where necessary, remediation (cleanup) of impacted sites (sites contaminated with solvents spilled from drycleaning operations). While annual registration of active drycleaning facilities is mandatory, participation in the environmental response program (remediation) is voluntary. There are estimates that as many as 80% of drycleaning facilities have some degree of contamination.

Are You Registered ?

DCERP requires all active drycleaning facilities to register each year and pay an annual registration fee. Upon completion of the registration process, a facility will receive its Certificate of Registration which is valid for the following January 1st through December 31st. This certificate allows the facility to purchase solvent.

Registration fees for 2004, which were due October 31, 2003, were based on solvent purchases made between July 1, 2002 and June 30, 2003. The solvent purchased from July 1, 2003 through June 30, 2004 will be used to calculate the facilities' fees for the 2005 Registration. Those invoices will be mailed to facilities in September 2004.

Please keep in mind that if a facility is sold, any solvent purchased by the previous

owner within the July 1st through June 30th time frame will be used along with the purchases of the new owner in calculating the annual fee.

Dates To Remember!

Fiscal Year July 1 thru June 30:
solvent purchases are totaled to calculate facility registration fee.

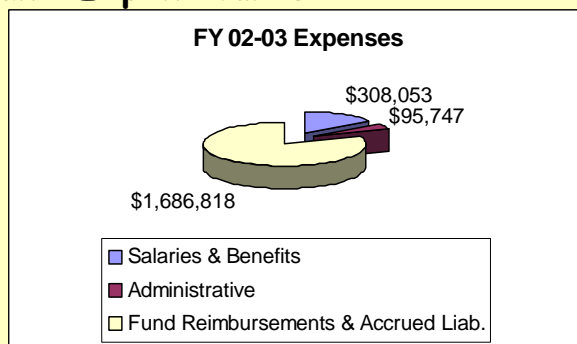
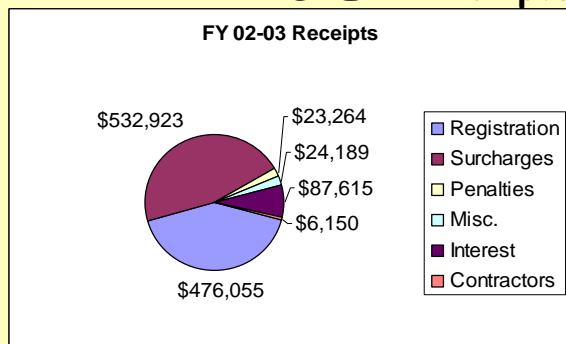
September: receive invoices and registration form.

October 31st : fees due

November 1st: late penalties start accruing

December: Registration Certificates for upcoming year mailed to facilities.

DCERP Receipts and Expenditures



Fund receipts include annual registration fees (from drycleaners and certain solvent suppliers), solvent surcharge fees, contractor application fees, penalties and earned interest. Fund receipts have been declining for a number of years due to a decrease in solvent surcharges.

Fund expenses include staff salaries and benefits, program administrative expenses (travel, printing, communications, rent, insurance, supplies, training and equipment), and site investigation and cleanup expenses. Fund expenses have been increasing as more sites move toward cleanup.

The State Fiscal Year 2003 (which runs from July 1, 2002 through June 30, 2003) expenses totaled \$2,090,618. On June 30, 2003, the DCERP Fund balance was \$4,414,333. A total of \$1.812 million is currently obligated for environmental activities at 57 sites in the environmental response program.

July 1, 2003 to December 31, 2003: The Fund receipts totaled \$881,664; Fund expenses totaled \$472,439; and the Fund Balance amounted to \$4,823,558.

Currently there are 470 registered Dry Cleaners in the State of Tennessee.

❖ **57 facilities have applied and received acceptance into the program for reimbursement of environmental response activities. Of the 57 facilities:**

- ❖ **7 sites have received letters of completion stating that no additional investigation or remediation (cleanup) is necessary. 3 additional sites are nearing completion;**
- ❖ **39 sites are in the site investigation phase to determine if a cleanup is needed;**
- ❖ **15 sites are in remediation, evaluation or active cleanup;**
- ❖ **83% of the sites are contaminated by dense solvents / perchloroethylene (PCE)**
- ❖ **4% of the sites are contaminated by light solvents / petroleum based (stoddard)**
- ❖ **12% of the sites are contaminated by a combination of both solvent types.**

Meet the Staff

The Drycleaner Environmental Response Program (DCERP) is managed and administered by a team of environmental geologists and scientists; an accountant, and an administrative assistant. This column will introduce you to the DCERP staff over the next several issues of this newsletter.

LaRose Dean is DCERP's Administrative Assistant. She oversees the annual registration of drycleaning facilities, tracks solvent surcharges, fee payments, and penalties. She is always available to answer questions regarding facility registration status.



LaRose can be reached at (615) 741-2281.

Remember to Send Your Fees and avoid Penalties!

Did your facility pay its annual registration fee by the due date? Was your facility assessed a late penalty? Did you know that state laws and regulations allow drycleaners to be assessed late penalties of up to \$50 per day after a designated due date?

After the 2004 registration due date (October 31, 2003), forty-two (42) facilities were assessed and have paid late penalties totaling \$10,400.00. The DCERP staff sends the annual registration packets with invoices by certified mail approximately six weeks before the due date and a reminder notice one to two weeks before the due date. These mail-out timeframes are used in an effort to help facilities avoid having to pay late penalties, which are based on the number of days postmarked after the due date. The DCERP Penalty Policy is enclosed with the registration packets and shows the days-late ranges along with the corresponding penalty (from \$50 to \$4,000).

The DCERP employees pride themselves on their fair and consistent treatment of all Tennessee drycleaners by following the laws they are required to uphold.

So when you get your invoiced fees in the mail by October 31st, you will save yourself money by responding on time. Should you have any questions, we are here to help!

DCERP Best Management Practices (BMP's)

The Tennessee Drycleaning program strives to clean up the soil and waters of the State of Tennessee by remediating contaminated drycleaning facilities, as well as ensuring pollution prevention measures are implemented at all active drycleaning facilities in remediation. Pollution prevention measures (BMP's) are important in the fight against on-going contamination of the State's natural resources, which provides a safe and healthy environment near drycleaning facilities. The Tennessee Division of Superfund administers the DCERP program within the Tennessee Department of Environment and Conservation.

Class 1 BMP, part 1. Compliance with existing Standards. "Perc" facilities shall comply with rule 1200-3-31-.13 Perc Air Emission Standards for Dry Cleaning facilities which addresses standards for air emissions and equipment controls, emission monitoring and record keeping requirements, solvent consumption record keeping requirements, and new machine requirements. For more information check out the air pollution regulations web page at: <http://www.state.tn.us/sos/rules/1200/1200-03/1200-03-31.pdf> The DCERP 2004 calendar, mailed to registered facilities, is designed to help you meet air pollution regulations. Keep it handy and use it every day!

Class 2 Best Management Practices (BMP's) must be met by all active drycleaners by Oct 15, 2007. The Class 2 BMP's consist of: containment systems; elimination of potential release pathways, flooring integrity; transfer machine guidelines; and solvent delivery systems.

For additional information feel free to call DCERP staff at (615)532-0900 for complete regulations or visit our website at <http://www.state.tn.us/environment/permits/dcerp>

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